

Applicant : Bycroft
Serial Number : 10/630,151
Amendment in Response to Office Action of 05/05/2004

REMARKS

The Examiner's Office Action of 05/05/2004 has been reviewed.

Note is taken that Claim 1 has been allowed.

The various rejections based upon 35 U.S.C. 112 as being indefinite are deemed overcome by the amendments herein.

The Examiner has rejected Claim 2 "under 35 U.S.C. 103(a) as being unpatentable over Stadler (US Patent No. 5,559,491) in view of He et al. (US Patent No. 6,452,488). This rejection is traversed. No objection is made to the Examiner's interpretation of the prior art. Objection is, however, made to the manner in which the Examiner combines the prior art. More specifically, applicant's device is a system for providing a signal that a vehicle and its driver and passengers, if any, are in a difficult situation. Such situation might be an emergency as caused by an attempted theft breaking the windshield or an accident caused by a broken windshield or deployment of an airbag. In addition, an emergency situation could arise wherein neither of these emergency events occur, but in which case the person inside the car would wish to signal that assistance is needed. Such is done through a keypad. In addition, applicant's device includes a processor and a strobe light operable in a deployed state, either

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on top of the car, or on the bottom of the car, or at both location. Such light is generated from a signal from the processor caused by the keypad, a user generated input, or an emergency generated input through a broken windshield or the deployment of the airbag. Applicant's device is a combination of parts not found in the claimed combination even though the individual components might be disclosed or suggested in the prior art. Nowhere, for example, is there a strobe light operable from any one of a plurality of inputs, nor is there a keypad for generating a signal that an emergency has occurred and assistance is needed. As set forth in Stadler, the first full paragraph of column 4, the keypad is really only for resetting the system after use. Such is not the purpose of applicant's keypad even though resetting of the system is desired after use. In addition, the He et al. light is operable off of a signal button, not from a plurality of situations from any of a plurality of sources.

It would appear that the Examiner has merely gleaned miscellaneous features in the prior art and has attempted to combine them without a teaching for their combination. The only teaching is in applicant's disclosure which, by definition, is not prior art. But even if there were a teaching for the

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combination, the resulting structure would still fail to anticipate applicant's invention for the reasons set forth herein above.

It is deemed that the amendments herein overcome all grounds of objection and rejection. Reconsideration and a Notice of Allowance are requested.